

## Message Text

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ACTION SCS-03

INFO OCT-01 NEA-09 ISO-00 SCA-01 L-02 H-01 SY-04 FBIE-00

DEAE-00 JUSE-00 /021 W

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R 281225Z JAN 75

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 6544

C O N F I D E N T I A L NEW DELHI 1272

FOLLOWING TEL SENT ACTION NEW DELHI ON JAN 27, 1975.  
NOW REPEATED FOR YOUR INFO.

QUOTE

C O N F I D E N T I A L CALCUTTA 0229

E.O. 11652: GDS

TAGS: CASC, PFOR, IN, US

SUBJ: HARCOS/FLETCHER

1. SESSIONS JUDGE CHAUDHURI ALLOWED ADVOCATE BEJOY BHOSE TO  
WITHDRAW JANUARY 27 FROM THE HARCOS/FLETCHER CASE OVER THE OB-  
JECTIONS OF THE PUBLIC PROSECUTOR WHO WISHES THE MATTER  
TO BE HELD UNTIL FEBRUARY 3 TO COINCIDE WITH THE HEARING  
ON CONTEMPT OF COURT CHARGES AND VIOLATION OF THE  
OFFICIAL SECRETS ACT BY MR. BHOSE.

2. HE GAVE PERMISSION TO AMAL DATTA TO REPLACE BHOSE.

3. IN CONNECTION WITH THESE DISCUSSIONS PUBLIC PROSECUTOR  
MENTIONED THAT MS. DONOVAN WAS LEAVING INDIA WITHOUT  
PERMISSION OF THE COURT. AFTER SOME HEATED ARGUMENTS THE  
PUBLIC PROSECUTOR STATED, "WE DO NOT KNOW WHAT MISCHIEF  
SHE HAS BEEN DOING WHICH VIOLATES THE OFFICIAL SECRETS  
ACT." HE ALLUDED TO HER COMINGS AND GOINGS FROM THE UNITED  
STATES AND THAT SHE COULD BE PASSING INFORMATION IN VIOLA-  
TION OF THE OFFICIAL SECRETS ACT. WHILE THE JUDGE OPENLY AND  
SCORNFULLY AT THESE REMARKS HE NOTED VERY CLEARLY TO MS.  
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DONOVAN THAT SHE MUST INFORM THE COURT WHEN SHE HAS

COMPLETED HER FIFTH VISIT AND OF HER TRAVEL PLANS  
I.E. FLIGHT NUMBER FROM CALCUTTA TO DELHI AND APPROXIMATELY  
WHEN SHE WOULD BE LEAVING NEW DELHI.

4. COURT HAS GRANTED PERMISSION FOR MS. DONOVAN AND THE NEW  
ATTORNEY DATTA TO SEE HARCOS AND FLETCHER EITHER TODAY AT  
4:00 PM OR TOMORROW AT 3.00 PM DEPENDING ON HOW QUICKLY THE  
SPECIAL BRANCH CAN GET READY FOR THE INTERVIEW.

5. CONSUL O'NEILL VISITED HARCOS AND FLETCHER TODAY AT 3:00  
PM THEY ARE IN GOOD HEALTH.

6. COMMENT: I AM CONCERNED ABOUT THE COMMENTS MADE ABOUT  
DONOVAN BY THE PROSECUTION AND PLAN TO RAISE THE MATTER WITH  
THE CHIEF SECRETARY TODAY AND THE CHIEF AIDE TO THE CHIEF  
MINISTER ASAP.

7. ANOTHER PROBLEM: WE UNDERSTAND THAT JUDGE CHAUDHURI  
IS BEING TEMPORARILY ASSIGNED TO DUTY AS CHIEF METROPOLITAN  
MAGISTRATE EFFECTIVE FEBRUARY 1. IT IS NOT CLEAR WHAT EFFECT  
THIS WILL HAVE ON THE TRIAL, I.E., HOW MUCH DELAY WILL  
RESULT, BUT I PLAN TO RAISE THIS POINT WITH THE CHIEF JUSTICE  
WHEN I PAY MY FAREWELL CALL ON HIM JANUARY 31.  
PICKERING  
UNQUOTE SCHNEIDER

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NNN

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